



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification
Of this Application:
Class _____ Subclass _____

Prior Application:
Exam'r: **Eggerton A. Campbell, Ph.D.** Docket No.:
Prior Group Art Unit: **1656** **Enz-49(P2)(C)**

Attorney's
Docket No.:
Enz-49(P2)(C)

JC490 U.S. PTO
09/898750
07/03/01

FILED BY EXPRESS MAIL

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231



28169

PATENT TRADEMARK OFFICE

Sir:

This is a request for filing a X CONTINUATION DIVISIONAL
CONTINUATION-IN-PART application under 37 CFR §1.53(b) X 37 CFR
§1.53(b), of pending prior application Serial No. 09/387,300 filed on August 31,
1999 of James G. Wetmur et al.

Inventor(s)

for

**NUCLEIC ACID DISPLACER COMPOSITIONS
AND CELLS COMPRISING SAME (As Previously Amended)**

Title of Invention

1. X Enclosed is a copy of the prior application, as originally filed and
an affidavit or declaration verifying it as a true copy.
2. X Small entity status is still applicable and is claimed.

EXPRESS MAIL CERTIFICATE

"Express Mail" Label No. EL839968724US
Deposit Date July 3, 2001
I hereby certify that this paper and the attachments
herein are being deposited with the United States Postal
Service "Express Mail Post Office to Addressee" service
under 37 CFR 1.10 on the date indicated above and is
addressed to the Commissioner of Patents and
Trademarks, Washington DC 20231.

Ronald C. Fedus
Ronald C. Fedus
Reg. No. 32,567

JULY 3 2001
Date

Enz-49(P2)(C)

James G. Wetmur et al.
Serial No.: Not Yet Assigned

Filed: Herewith

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3. ☒ The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT									
					RATE			FEE	
	Number Filed		Number Extra		Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	95	=	75	x	\$ 9	\$ 18	=	\$675	\$ ---
Independent Claims	1	=	0	x	\$ 40	\$ 80	=	\$ 0	\$ ---
Multiple Dependent Claims Presented: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					\$135	\$270		\$130	\$ ---
* If the difference in Col. 1 is less than zero, enter "0" in Col.2						BASIC FEE		\$355	\$ ---
						TOTAL FEE		\$ 1165	\$ ---

4. ☒ The Commissioner is hereby authorized to charge payment of the filing fee as well as the following fees associated with this application or to credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.

☒ Any additional filing fees required under 37 CFR §1.16.

☒ Any patent application processing fees under 37 CFR §1.17.

5. ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.

☒ Any patent application processing fees under 37 CFR §1.17.

☐ The issue fee set in 37 CFR §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR §1.311(b).

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_____ Any filing fees under 37 CFR §1.16 for
presentation of extra claims.

6. _____ A check in the amount of \$_____ is enclosed.
7. X Cancel claims 2-116 .
8. X Amend the specification by inserting before the first line of the sentence: --- This is a X continuation, _____ divisional, _____ continuation-in-part, of U.S. Patent Application Serial No. 09/387,300, filed on August 31, 1999, now allowed, which is a continuation of U.S. Patent Application Serial No. 08/480,000, filed on June 7, 1995, which issued as U.S. Patent No. 5,958,681 on September 28, 1999, said Serial No. 08/480,000 being a continuation of U.S. Patent Application Serial No. 07/499,938, filed March 26, 1990, abandoned. ---
9. _____ Transfer the drawings from the prior application.
10. X Informal X Formal _____ drawings are enclosed.
11. _____ Abandon said prior application as of the filing date accorded this application. A **duplicate** copy of this sheet is enclosed for filing in the prior application file.
12. _____ Priority of application Serial No. _____ filed on _____ is claimed under 35 U.S.C. §119.
_____ The certified copy of the priority application has been filed in prior application Serial No. _____, filed _____.
13. X The prior application is assigned of record to Enzo Therapeutics, Inc., c/o Enzo Biochem, Inc., 527 Madison Avenue, New York, New York 10022. A copy of the Assignment is enclosed.
14. X A preliminary amendment is enclosed.

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15. X The power of attorney in the prior application is to:
Ronald C. Fedus, Reg. No. 32,567.
- (a) X The power appears in the original papers in the
prior application.
- (b) Since the power does not appear in the original
papers, a copy of the power in the prior application
is enclosed.
- (c) A copy of a new substitute power of attorney is
enclosed.
- (d) A copy of a new Associate Power of Attorney is
enclosed.
- (e) X Address all future communications to: (May only
be completed by applicant, or attorney or agent of
record.)

Ronald C. Fedus, Esq.
Enzo Therapeutics, Inc.
c/o Enzo Biochem, Inc.
527 Madison Avenue (9th Floor)
New York, New York 10022

16. X Oath or Declaration
- (a) Newly executed (original or copy)
- (b) X Copy from a prior application (37 CFR 1.63(d))
- (c) X With Power of Attorney
- (D) Without Power of Attorney

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17. X I hereby verify that the attached papers are a true copy of prior
application Serial No. 09/387,300, filed on August 31, 1999.

The undersigned declares further that all statements made herein of his own
knowledge are true and that all statements made on information and belief are
believed to be true; and further that these statements were made with the
knowledge that willful false statements and the like so made are punishable by fine
or imprisonment, or both, under Section 1001 of Title 18 of the United States Code
and that such willful false statements may jeopardize the validity of the application
or any patent issuing thereon.

July 3, 2001
Date

Respectfully submitted,



Ronald C. Fedus

Registration No. 32,567

Attorney for Applicants

 Inventor(s)

 Assignee of Complete Interest

 X Attorney or Agent of Record

 X Filed under 37 CFR § 1.34(a)

Address of Signator:
Enzo Therapeutics, Inc.
c/o Enzo Biochem, Inc.
527 Madison Avenue (9th Floor)
New York, New York 10022